

CITY OF NEWBERG CITY COUNCIL MINUTES
SEPTEMBER 6, 2011
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held prior to the meeting. An update was given from Representative Kim Thatcher on the legislative session; no action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:00 PM.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard	Stephen McKinney
	Bart Rierson	Marc Shelton	Wade Witherspoon	

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Jason Wuertz, Project Manager
	Dain Eichel, Interim Public Works Director	Norma I. Alley, City Recorder

Others

Present:	Neal Klein	Jennifer Nelson, Minutes Recorder
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III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, reported on upcoming events: the Fire department's Toy & Joy Golf Tournament on Sunday, September 11, 2011, with a short 9/11 remembrance ceremony before tee off; the Chamber of Commerce Trilogy event on Saturday, September 10th; Portland Community College (PCC) open house on October 22nd; the downtown clean-up event in conjunction with George Fox University's Serve Day, September 7th; an Annual Drug-Take Back event on October 29th (the future of this event will be assessed afterwards since the drop off box has been installed at the Public Safety Building); and the Animal Shelter Subcommittee meeting to discuss the final prices on Tuesday, September 13th, before the Newberg Animal Shelter Friends (NASF) meet to present the information (a resolution will be brought before the Council on September 19th).

V. PUBLIC COMMENTS

None.

VI. CONSENT CALENDAR

1. Consider a motion approving **Resolution No. 2011-2971** authorizing the city manager to execute an agreement with the State of Oregon for installation of two solar-powered school zone flashing beacons along Highway 219.

This item pulled from Consent Calendar and discussed under New Business.

2. Consider a motion approving **Resolution No. 2011-2967** declaring a 2000 Ford E450 Chassis ambulance as surplus property.
3. Consider a motion approving August 1, 2011, City Council minutes.

MOTION: Rierson/Howard approving the Consent Calendar including **Resolution No. 2011-2967**, and City Council minutes from August 1, 2011. (7 Yes/0 No) Motion carried.

VII. PUBLIC HEARINGS

1. Consider a motion approving **Ordinance No. 2011-2743** amending the Newberg Municipal Code pertaining to the Traffic Safety Commission.

TIME – 7:06 PM

Mr. Terrence Mahr, City Attorney, presented the staff report and recommended approval (see official meeting packet for full report). Mayor Andrews called for any conflicts of interest or abstentions; none appeared.

Mr. Neal Klein, Traffic Safety Commission (TSC) Chair, thanked the city attorney, spoke of goals, and their intention to follow the model used by the Library Board to interview applicants and make recommendations to the Mayor for appointments with the consent of Council. He said the TSC would not have the final say in which applicants are appointed, but they felt this would be a good process. He also mentioned the current student commissioner on the TSC is now a college student and they would like to consider opening this position to college students, rather than just high school students to increase the field of applicants; he said it was their understanding when the student position was approved in 2009 it did not specify high school students only.

Councilor Marc Shelton spoke about the intent of the student commissioner being to get students involved in high school at the civic level and wondered if there could be representation from both levels; he also referred to one version of the code revisions that refers to a member “from one of the local high schools”. Mr. Mahr replied this matter has come up since that revision was completed.

Councilor Bart Rierson asked if the student commissioner is a voting or nonvoting member; Mr. Klein replied they are non-voting and can only contribute to the discussions.

Mayor Andrews said he is resisting changing the requirements to include the collegiate level because they could just apply for a regular appointment as voting members. He mentioned the current code allows the present individual serving to continue until a successor is appointed. He said he was partially in favor of the amendments until he spoke with some of his peers and he is not sure the process is in agreement with the current charter and may delay the process of filling vacancies. He believes members of the commission serve at the pleasure of the Council and not the commission itself and this may take away some of the Councilors’ roles. Others have mentioned the tendency with this model for commissions to “stack the deck” or select people of a similar mindset, rather than giving a true cross-section of what is in the community. He would prefer to keep the process as it is; the applications can be shared with the commission, but the appointment would still remain with the Mayor and the Council. He suggested changing the term for the student commissioner from June 1st to May 31st to avoid recruitment during the summer months when students are out of school and allowing reappointments, not to exceed three years for total time served. He does not support the commission interviewing applicants and encourages changing the term date for student members.

Chair Klein emphasized the goal of the commission was not intended to force the Mayor’s hand on who becomes commission members; it was more for an opportunity for more people to look at the applicant with the Mayor sitting in as an ex officio member and to simply recommend an applicant; the Mayor would still have the

ability to select the appointees with Council consent. They were intending to follow the model already in place with the Library Board to get a sense of who the applicants are and how they would fit in before they become members, not to pick favorites. He agreed about the college level students being able to apply for regular positions, but mentioned it takes quite an effort to get high school students to apply; he also likes the student being able to continue their tenure if there are no other applications.

Councilor Shelton spoke of goals to look at citizen committees and standardizing how meetings are operated; he is wondering if the Library Board is the model they want to use for the others or not. Mr. Mahr replied this would be a decision point, they used the Library Board process as a model since it works well and they started revising the TSC code before they started standardizing procedures. He said this is the first committee they started the overhaul process with and it is what was discussed at the committee level. He agreed it would be right to spell this out in the charter, and if they would like all committees to be like the TSC or Library Board, then they may want to start the process to look at the others too.

Councilor Shelton clarified that at this point all committees, other than the library, have been operated differently than the other three commissions in the charter and asked if the Library Board is designated by charter. Mr. Mahr replied it is not and they used to report to the city manager since he is in charge of the library.

Councilor Stephen McKinney added he did not want to be accused of “stacking the deck” or creating a certain thought pattern on a commission. He suggested this would be a good time to use the second reading process and reevaluate if the Library Board is the model they wish to pursue or not, because it is an exception.

MOTION: Andrews/Shelton amending the term of the student member to begin on June 1 of the calendar year and ending on May 31 of the following year including the ability for the student to be reappointed, not to exceed three years of service. (7 Yes/0 No) Motion carried.

MOTION: Andrews/Rierson to leave section 2.15.340 regarding membership as it is currently written in the Code; removing the sentences pertaining to the candidates being interviewed by the current committee. (7 Yes/0 No) Motion carried.

Mayor Andrews closed the public hearing and record; moving deliberations to the second reading by the first meeting in October, 2011.

2. Consider a motion approving **Ordinance No. 2011-2747** amending the Development Code pertaining to manufactured homes.

TIME – 7:35 PM

Mayor Andrews called for any conflicts of interest or abstentions; none appeared.

Mr. Barton Brierley, Planning and Building Director, presented the staff report including a PowerPoint slideshow and recommended approving the Planning Commissions’ (PC) recommendation (see official meeting packet for full report).

Mayor Andrews asked for clarification of the definition of manufactured dwelling and if that includes mobile homes, manufactured homes, and recreational vehicles. Staff replied all types are included. Mayor Andrews referred to page fifty-seven and the mention of a “residential” vehicle; staff replied it was a typographical error and should be “recreational” vehicle.

Councilor Rierson spoke of concerns with land owners with manufactured homes on them rezoning to industrial and displacing the residents on short notice; he said this may not be the right venue to talk about this, but he is

curious if there is a way to offer protection for the economically disadvantaged residents who are less likely to hire a lawyer. Staff replied the affordable housing committee took a lot of time looking at this issue and there are a number of tools which can be applied; some cities pass ordinances not allowing conversions or only under special circumstances. Ongoing maintenance of manufactured home parks needs to be encouraged and different park owners were interviewed to see what would be needed to make a long term investment; positive incentives like applying urban renewal districts may be a tool for upgrades and these types of things were looked at by the committee.

Councilor McKinney asked about State laws vs. city statutes regarding owner occupied manufactured home subdivisions. Staff replied there is not a State law prohibiting or requiring owners to go one way or the other; it is just a recommendation of the Planning Commission to eliminate the local requirement. Councilor McKinney also asked if there was land available to create R-4 zoning in the City; staff said not currently and land would have to be annexed.

Councilor Wade Witherspoon asked if there was a process to monitor the percentage of acres designated at R-4 and is there a number to achieve or stay under in long term city planning. Staff replied they went through the housing element plan last year and will be coming back in next six months; they looked at projections for the amount of manufactured housing and new housing and anticipate four percent to be manufactured in addition to existing. Councilor Witherspoon asked if staff heard from the building community regarding this; staff said only from the ones on the committee and they thought it was a good approach since it is voluntary.

Councilor Shelton clarified with staff the various references to type 1, type 2, and type 3 decisions in the revisions and what they would require.

Councilor Rierson asked if the Council amends the development code to add R-4 zone, is it possible to create an opportunity for certain groups to bring this back as an appeal based on the population projections and further delay development; staff replied this is a remote possibility.

Councilor McKinney referred to page forty-four and asked if there can be R-2 and R-4 housing in the same neighborhood; staff replied there can be, if council chooses.

Mayor Andrews opened and closed the public testimony; no citizens appeared. Staff recommended adoption.

MOTION: Shelton/Rierson to consider approving **Ordinance No. 2011-2747** in the first reading.
(6 Yes/1 No [McKinney]) Motion carried.

MOTION: Shelton/Rierson approving **Ordinance No. 2011-2747** amending the Development Code pertaining to manufactured homes, read by title only. (6 Yes/1 No [McKinney]) Motion carried.

VIII. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2011-2971** authorizing the city manager to execute an agreement with the State of Oregon for installation of two solar-powered school zone flashing beacons along Highway 219.

TIME – 8:05 PM

Councilor Rierson said he supports and believes it will help. Although he understands there may be specific sign manufacturers that must be used since there is State funding involved, he would like efforts to be made to standardize the signs used to prevent confusion with different styles begin used each time a new one is installed.

Mayor Andrews agreed with consistency in traffic control devices as well.

Councilor Witherspoon asked if this is State funded, why the City is bearing the cost. Mr. Danicic replied the City must pay for the equipment, but the Oregon Department of Transportation (ODOT) will install, operate and maintain the equipment after purchase.

Mayor Andrews asked how this sign will speak to the drivers in community. Mr. Danicic said he hears the Council's desire for consistency and explained signage rules vary depending how far from a school and whether children are present; staff will go back and create a map to show the type of signs and where they are located to see if there is an opportunity to be more consistent. There may be some flexibility and they will move towards a fewer variety at least.

Councilor Rierson asked if there was a reason for a sign being place at Open Bible and not at Veritas. Staff replied there were two reasons: the speed limit along Mission Drive in front of Veritas and there not being enough exposure on College Street and there were not discussions about College Street outside the City limits.

Councilor Shelton said moving to this type of signage is good for the community since not everyone knows when school is in session, as the signs imply; this confusion can be averted with the right message coming from the flashing sign. He also mentioned that the signs are not flashing when school is not in session as well.

Councilor McKinney said he appreciates consistency and also would like the sign to report the speed drivers are going in the posted area. Staff spoke of State and national standards for sign language and mentioned the signs are programmable.

MOTION: Rierson/Witherspoon approving **Resolution No. 2011-2971** authorizing the city manager to execute an agreement with the State of Oregon for installation of two solar-powered school zone flashing beacons along Highway 219. (7 Yes/0 No) Motion carried.

1. Consider a motion approving **Resolution No. 2011-2968** authorizing the city manager to enter into a contract with First Cascade Corporation for the construction of the Fire Station 20 Remodel Project.

TIME – 8:19 PM

Mr. Dain Eichel, Interim Public Works Director, and Mr. Jason Wuertz, Civil Engineer and Project Manager, presented the staff report (see official meeting packet for full report).

Councilor Rierson said it is good to see a low bid, but asked if staff has had any experience with First Cascade Corp. to ensure quality. Staff replied there has not been much experience with vertical construction, it has been mostly road and utility work; but, First Cascade is an established company and they have been prequalified staff has confidence they will perform well. Mr. Danicic added one requirement was that the contractor had done a fire station before and had remodeling experience on projects of similar size.

Councilor Witherspoon asked what the bid alternates were. Staff said one was to remodel the outdated kitchen and ways to reduce costs such as going with linoleum flooring and polished concrete in many areas, there was also a new acoustical ceiling and light fixtures opposed to the existing.

Mayor Andrews asked when construction could begin if this is approved. Staff replied as soon as the middle to end of September depending on the contractor's schedule; as soon as the contract is signed and purchase orders submitted. It may last until January or February until it is completed.

Councilor Shelton asked if the extra monies could be used if awarded. Staff replied part of the grant goes towards permit fees, miscellaneous construction costs and contingency; if more money is available they will find ways to add value to the project, such as furnishing some rooms, as long as it is permitted by the grant.

Councilor McKinney asked about the company's previous fire station remodeling and if any were contacted for reference, he also asked about performance guarantees. Staff stated the consulting group assisted with this and performance guarantees are required.

MOTION: McKinney/Rierson approving **Resolution No. 2011-2968** authorizing the city manager to enter into a contract with First Cascade Corporation for the construction of the Fire Station 20 Remodel Project.
(7 Yes/0 No) Motion carried.

2. Consider a motion accepting the Chehalem Valley Visitor Information Center Fourth Quarter report.

TIME – 8:30 PM

MOTION: Shelton/Rierson accepting the Chehalem Valley Visitor Information Center Fourth Quarter report.
(7 Yes/0 No) Motion carried.

3. Consider a motion approving reduced City Hall hours and installing a call handling system for the main city number.

TIME – 8:31 PM

Mr. Danicic presented the staff report (see official meeting packet for full report).

Councilor Witherspoon asked about the different department options and what a person would do if they had general questions. Staff replied they can still press '0' to speak to an actual person; this just eliminates someone from fielding all of the questions which may be better handled by a specific department.

Councilor Rierson said this was a good compromise to the reduced revenues available and still needing to accommodate working citizens. He said he would also like email addressed and direct phone numbers to be more readily available on the website to eliminate transfers as well; the redesign has made it more difficult to locate this information.

Councilor Shelton said he supports this based on staff comments about most calls wishing to be transferred anyway. He also noted a scrivener's error in the first sentence of the executive summary regarding the City having to lay off employees.

Councilor Howard asked if there was a capability to direct callers outside of city hall to the police or fire station and if there was any intention of doing this. Staff replied this was an option and they can extend the focus beyond city hall to create a more central number.

Councilor McKinney asked if it could be stated this is only a temporary measure. Mr. Danicic replied when staff levels return to normal it can be revisited.

Mayor Andrews suggested revisiting after a specified date to see how it is working and if modifications need to be made. Staff agreed and said monitoring the use of the phone system can occur during specific times of the day to see how it is utilized and a report can come back before Council in six months.

Councilor McKinney asked if the handler system will make an evaluation for staff as to which department is receiving calls and at what times. Mr. Danicic replied he did not know if it could, but he would find out.

Mayor Andrews asked about closing times for utility billing and the need for employees to cash out and wondered if there would be a staffing problem between shifts. Mr. Danicic replied there is a potential for this with different shift schedules since there are two utility billing individuals, but they can appoint who is responsible for answering the phone.

Councilor Witherspoon had concerns for one person working the counter and the other working the phones because there may be a time when they are both working with a customer and cannot answer the phone even though someone has selected the option to speak with a person. Staff replied if staff is tied up then the caller will get a recording, but policy is to avoid allowing the main number to go to recording and someone tries to pick it up. This avoids the person having to stop what they are doing with customers at the counter to transfer someone to another department.

Councilor Witherspoon asked if staff have to excuse themselves from people at counter in order to answer the phone. Staff replied this is what happens sometimes, but it cannot be avoided unless a full time receptionist is hired.

MOTION: McKinney/Shelton approving reduced City Hall hours and installing a call handling system for the main city number for a six month trial period. (6 Yes/1 No [Witherspoon]) Motion carried.

IX. COUNCIL BUSINESS

TIME – 8:47 PM

Councilor Rierson gave an update on the Chehalem Paddle Launch. There is no official close date for the season right now, it will be determined when people stop coming to use it.

Mayor Andrews spoke about GFU Serve Day tomorrow and if anyone else may be joining him and the city manager behind the veterans building to clean up.

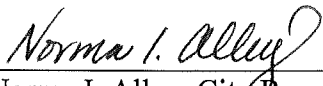
Councilor Ryan Howard spoke about the editorial in The Newberg Graphic praising the approval of the bike plan and a high school student who built a bike rack for a high school project he would like to donate to the City. He asked if Council would like to formally accept the gift and direct staff to locate a place to install it although it does not meet the requirements to be placed downtown.

Mayor Andrews asked if the bike rack was portable and wondered if he could bring it to a Council meeting or at least provide pictures to be presented and accepted. Councilor Howard said he could see, it just needs to be painted.

X. ADJOURNMENT


The meeting adjourned at 8:57 PM.

ADOPTED by the Newberg City Council this 17th day of October, 2011.



Norma I. Alley, City Recorder

ATTEST by the Mayor this 20th day of October, 2011.



Bob Andrews, Mayor